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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RESIGHINI RANCHERIA, FRANK DOWD,)	Case No. CV 11 6710 EMC
and GARY DOWD,)	
)	
Plaintiffs,)	STIPULATION AND ORDER
)	
vs.)	
)	
DEAN WILSON, individually and in his)	
official capacity as Del Norte County Sheriff,)	
)	
Defendant.)	
_____)	

The parties in the above entitled matter hereby STIPULATE that:

1. The plaintiffs shall have leave to file a second amended complaint; and
2. The defendant shall take their motion to dismiss, set for a hearing on November 2, 2012, at 1:30 p.m., off calendar to allow the parties to pursue settlement negotiations. These negotiations will take place for a reasonable period of time not to exceed sixty (60) days. If, at the end of the settlement negotiations, the parties have not reached an agreement settling the case, the defendant shall have the right to re-notice and set a hearing on defendants' motion to dismiss.
3. The Court can issue an order, pursuant to this stipulation, ordering the parties to carry out the terms and conditions of this stipulation.

1 Dated: October 1, 2012

Respectfully Submitted,

2 RAPPORT AND MARSTON

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4 By: s/ Lester J. Marston
LESTER J. MARSTON
5 Attorneys for Plaintiffs

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7 DEL NORTE COUNTY COUNSEL

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9 By: s/ Gretchen Stuhr
GRETCHEN STUHR
10 Attorney for Defendant

11 **ORDER**

12 Having read the foregoing stipulation of the parties and good cause appearing therefore,
13 IT IS HEREBY ORDERED, that the parties shall comply with the terms and conditions of the
14 above stipulation. The hearing currently set for November 2, 2012 at 1:30 p.m. is hereby vacated.

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16 Dated: October 3, 2012

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18 _____
Edward M. Chen
19 United States District Judge